

IN THE UNITED STATES DISTRICT COURT

FOR THE DISTRICT OF DELAWARE

IP CO., LLC,)
)
Plaintiff,)
)
v.) Misc. No. 06-012-SLR
)
CELLNET TECHNOLOGY, INC.,)
)
Defendant.)

O R D E R

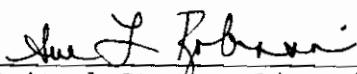
At Wilmington this 15th day of August, 2006, having reviewed the motion to quash subpoena filed by third party Landis + Gyr, Inc. ("L + G"), and the papers submitted in connection therewith;

IT IS ORDERED that said motion (D.I. 1) is granted in part and denied in part, as follows:

1. The motion is granted to the extent the subpoena asks for materials that predate January 2004, the commencement of the commercial relationship between L + G and defendant Cellnet Technology, Inc. ("Cellnet"), and to the extent that the scope of the subpoena is not tailored to the technology at issue in the underlying litigation, that is, Cellnet's UtiliNet® -mesh network system.

2. The motion is denied to the extent that L + G has delayed production without conferring with plaintiff IP Co., LLC regarding the location of the production and the entry of a protective order.

3. L + G shall produce documents consistent with this order on or before August 31, 2006. To the extent the parties cannot agree on the location of production or entry of a protective order, the court will conduct a telephone conference prior to the production date.



United States District Judge